

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James Paul Aery,

Case No. 24-cv-3245 (PJS/DTS)

Plaintiff,

v.

ORDER

Calandra Allen et al.,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge David T. Schultz dated October 7, 2024. No objections have been filed to that Report and Recommendation in the time period permitted.

The Court, being duly advised in the premises, upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED: this action is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 12, 2024

s/Patrick J. Schiltz

Patrick J. Schiltz

Chief Judge

United States District Court